

RIGHTS OF CHILDREN IN ISLAM



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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*Bismi Allahi Alrrahmani Alrraheem*i*
In the name of Allah, the most
Beneficent, the most Merciful*

الطفل في الإسلام

The Rights of Children in Islaam

First Khutbah:

All perfect praise is due to Allaah; I testify that there is nothing worthy of worship except Allaah and Muhammad is His Slave and Messenger, upon whom may Allaah send salutations and exult his mention, as well as that of his family and all his Companions.

Slaves of Allaah! Islaamic Legislation came with all that would guide and benefit us; and it did not leave any area or subject without instructing and guiding us about it in the very best manner.

Islaamic Legislation came to bring about prosperity to people in their communities; and children are a vital part of our communities.

Islaamic Legislation takes great interest in, and attaches great importance to children, and many rulings, etiquettes and instructions were laid down concerning them. Unfortunately, we live in a time where the radiant sun of Islaamic rulings has set; knowledge has disappeared; and blind imitation of the west and ignorance in general is widespread.

Many Muslims who fell in love with the western way of life became interested in how the westerners take care of their children, as well as what they do to bring joy and happiness to their children; at the same time, these Muslims neglected everything that Islaam has to offer in this regard.

Let us see the stance of Islaam regarding children and compare it with what is practiced in the west:

In Islaam, the journey of taking care of and fostering one's child starts before his existence; it starts from the time that one looks for a righteous wife as a suitable future mother; this is due to the fact that the Prophet *sallallaahu alayhi wa sallam* instructed men regarding the required criteria when selecting their wives: "**Acquire the religious type, you will prosper.**" It starts from looking for a mother for one's child who is loving, as the Prophet *sallallaahu alayhi wa sallam* commanded said: "**Marry women who are loving and very prolific (i.e., in terms of offspring).**" (Narrated by Abu Daawood).

A person should supplicate before the existence of his child, with the supplication of Prophet Zakariyyah (Zechariah), peace be upon him, which Allaah informs us about when he says,

هَنَالِكَ حَمَّا زَحْرِيًّا رَبَّهُ قَالَ رَبِّيَّهُ لِمَىْ مِنْ لَئِنْكَ حَرَيَّةَ طَهِيَّةَ إِنَّكَ سَمِيعُ الْحَسَنَاءِ

Which means: "**Zakarriyyah called upon his Lord saying: 'My Lord, grant me from Yourself a good offspring. Indeed, You are the Hearer of supplication.'**" (Aal 'Imraan: 38).

When one is approaching his wife for sexual intercourse, he should remember that it could result in the conception of a child; therefore, he should say before entering his wife, as the Prophet *sallallaahu alayhi wa sallam* instructed: "**Bismillaah! Allaahumma jannibnash-**

Shaytaana, wa jannibish-Shaytaana ma razaqtana (In the Name of Allaah, O Allaah! Keep us away from Satan and keep Satan away from what You will bestow upon us)." (Narrated by Al-Bukhaari).

When the foetus is formed in its mother's womb, it is prohibited to abort or kill it, and it is even more serious a sin if it is a fully developed child and killed after its birth, Allaah says,

وَلَا تَقْتُلُوا أُولَئِكَهُنَّ نَفْعٌ لَّهُمْ إِنْ قَاتَلُوكُمْ فَإِنَّمَا حَرَبُكُمْ

Which means: "*And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin.*" (Al-Israa': 31). It is prohibited to kill one's child after its birth due to fear of poverty, because Allaah will provide for it; and since the killing of children during the pre-Islamic era used to happen for fear of poverty, Allaah mentions the provision of the child before that of the father when he says what means: "*We provide for them and for you*" whereas in chapter Al-An'aam, verse 151, Allaah says

وَلَا تَقْتُلُوا أُولَئِكَهُنَّ مِّنْ أَمْلَاقِنَا فَنَّنَّا بَزْرَقَهُمْ وَإِيَّاهُمْ

Which means: "*And do not kill your children out of poverty; We will provide for you and them*" which refers to poverty that is actually present, and therefore Allaah has mentioned the provisions of the father before that of the child: "*We will provide for you and them.*" Allaah concluded the first verse with what means: "*Indeed, their killing is ever a great sin*" meaning one of the great major sins. The Prophet *sallallaahu alayhi wa sallam* said, mentioning sins that were classified as being from among the great major sins: "...*To kill your child in the fear that he will share your food with you...*"(Narrated by Muslim).

During the pre-Islamic era, there were people who were ashamed of having baby girls; and burying them alive was a common practice, but when Islaam came, it prohibited this practice and classified it as one of the major great sins. Allaah says

وَإِنَّمَا الْمُنْهَى عَنِ الْمُؤْمِنَاتِ أَنَّهُنَّ يَأْتِيْنَ بِقَاتِلَاتِهِنَّ

Which means: "*And when the girl [who was] buried alive is asked. For what sin she was killed.*"(At-Takweer: 8-9). This verse is in the form of a question which is rebuking the killer or murderer, because such an act is totally contradictory to Islaam. Allaah says

وَإِذَا بُشِّرَ أَحَدُهُنَّ بِالنِّسَاءِ طَلَّ وَنَهَشَ مُسْوِعًا وَمُهُورًا حَطِيلَةً يَتَوَارَى مِنَ الْقَوْمِ مِنْ شُوَّهَ مَا يُهَنِّي
أَنْفُسَهُنَّ كَلَّمَ مُونِ آذَنَ بَشَّشَ فِي الْتَّرَابِ إِلَّا سَاءَ مَا يَنْخَمُونَ

Which means: "*And when one of them is informed of [the birth of] a female, his face becomes dark, and he suppresses grief. He hides himself from the people because of the ill of which he has been informed. Should he keep it in humiliation or bury it in the ground?*"(An-Nahl: 58-59). In those pre-Islamic times, a pregnant woman at the time of her delivery would go with a midwife and lie next to a hole which was dug in the ground; if the newborn was a girl they would immediately throw her into the hole and bury it with dust, and if it was a boy, then they would take him home.

Since daughters are usually weaker than sons, and are a greater responsibility to look after, and

are unlike sons who are stronger and can therefore aid their fathers, Islaam has compensated for this by granting the father a great reward for raising them as an incentive, the Prophet *sallallaahu alayhi wa sallam* said in an authentic narration: "**If anyone patiently cares for three daughters, provides for them, feeds them, and dresses them from his own wealth, they will be a protection for him from Hell on the Day of Resurrection.**"

Once a poor woman split a date which was given to her in charity by 'Aa'ishah, may Allaah be pleased with her, and fed it to her two daughters, and when the Prophet *Sallallaahu alayhi wa sallam* heard about this he said: "**Allaah has made Paradise obligatory for her and Has freed her from Hell.**"(Narrated by Muslim).

Why did Islaam allow the pregnant or breast feeding mother to refrain from fasting (during the month of *Ramadhaan*)? Why did Islaam exempt them from having to fast? It is for the benefit of the breast-feeding baby or foetus. The Prophet *sallallaahu alayhi wa sallam* said: "**No mother is allowed to oppress her child (i.e. by doing things which may harm him).**" Therefore, a mother is not allowed to consume anything which may weaken her unborn child or distort his shape or appearance; she should eat well in order to nourish him correctly whilst he is in her womb.

Note how Islaam preserves and protects the foetus!!! Note the rights of the foetus in Islaam, it is given a postponement for the penalty applicable for its mother, whose pregnancy is a result of fornication or adultery, until she delivers!!!

In the story of the woman from the *Ghaamidi* tribe, who had admitted to being guilty of being pregnant due to illicit sexual intercourse, she said: "*O Messenger of Allaah! I have committed adultery so apply the due penalty.*" Thereupon the Prophet *sallallaahu alayhi wa sallam* called her guardian and said: "**Be kind to her and care for her until she delivers, then bring her to me.**" After she delivered, she came to the Prophet *sallallaahu alayhi wa sallam* with the baby boy wrapped in a cloth and said: "*I have delivered.*" So he *sallallaahu alayhi wa sallam* said: "**Go and breast feed him until you wean him.**" So after she weaned him, she returned to the Prophet *sallallaahu alayhi wa sallam* with the boy holding a piece of bread in his hand eating it, then he *sallallaahu alayhi wa sallam* applied the penalty of stoning her to death.

In another narration, he *sallallaahu alayhi wa sallam* said after the woman delivered: "**We will not stone her and (thereby) leave the child with no one to feed him**" so a man from the *Ansaar* stood up and said: "*O Prophet of Allaah! I will take care of feeding him.*" Thereupon, the Prophet *sallallaahu alayhi wa sallam* had the woman stoned to death. The scholars of Islaam commented upon this incident saying: "*If the penalty was that she was only to be lashed, she would not have been lashed whilst pregnant, but would have had her punishment delayed until she delivered, according to the consensus of the Muslim scholars.*"

If someone transgresses the rights of a foetus and causes it to abort or be stillborn, then he must pay the due penalty, which is equivalent to the price of freeing a slave, as happened in the story mentioned in the book of *Imaam Al-Bukhaari*, may Allaah have mercy upon him, when two women from the tribe of *Huthayl* fought and one of them threw a rock at the other who was pregnant, which caused her foetus to abort dead, so they went to the Prophet *sallallaahu alayhi wa sallam* for judgment; so the Prophet *sallallaahu alayhi wa sallam* ruled that she should pay her an amount equivalent to that required to free a slave.

Note the rights of the foetus in Islaam; The scholars of Islaam said: "If a woman who is six months pregnant dies, and the foetus remains alive, she is to be cut vertically in order to rescue the foetus, because Allaah says

مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكُلُّهُمَا كُلُّ النَّاسِ جَمِيعاً وَمَنْ أَنْجَاهُمَا فَكُلُّهُمَا أَنْجَاهُ
النَّاسَ جَمِيعاً

Which means: "**Whoever kills a soul unless for a soul or for corruption [done] in the land—it is as if he had slain mankind entirely. And whoever saves one—it is as if he had saved mankind entirely**"(Al-Maa'idah: 32) and if someone left such a foetus neglected intentionally, it is as if he has killed a soul." Doctors should use the easiest possible method (to minimize all harm) to bring such a foetus out of her womb.

Where should a woman who is a disbeliever from the People of the Book, who died while she was pregnant, be buried? Her foetus is a Muslim but she is a disbeliever, so she cannot be buried in a Muslim graveyard so as to not to harm the Muslims with her punishment in the grave, and she cannot be buried in the disbeliever's graveyard so as to protect her Muslim foetus from being affected by her punishment, so she should be buried in the far edge of a Muslim graveyard - as Imaam Ahmad, may Allaah have mercy upon him, said.

No second Khutbah.